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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard Spink )  
Serial No.: 10/749,849 ) Attorneys' Ref. P214397  
Filing Date: 12/30/2003 ) Art Unit: 3673  
Title: MARINE BARRIER SYSTEMS AND )  
METHODS )

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §1.56, the Applicant respectfully submits this Information Disclosure Statement to call to the attention of the Examiner the references listed on the attached Form PTO/SB/08B for consideration in the prosecution of the above-referenced application for U.S. patent. Copies of these references are attached hereto for the Examiner's convenience. Citation of a reference in this Information Disclosure Statement is not an admission that the reference is prior art to the present invention.

Also enclosed is a check in the amount of \$180 for the Submission of an Information Disclosure Statement fee. It is believed that no further fee is due at this time to maintain the application in full force and effect, however if any such fee is due please charge this to Deposit Account No. 502099.

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**REMARKS**

The Applicant is aware of a marine barrier system manufactured by Harbor Offshore, Inc., Marine Contractors. The Harbor Offshore product is depicted in an

undated photograph printed off the internet on September 7, 2004. The Harbor Offshore product comprises pontoons that are spaced from each other by rigid metal beams. The beams support a fence. Braces extend between adjacent pontoons. The beams and braces are both spaced above the water a distance equal to the height of the pontoons above the water. The Harbor Offshore system is extremely heavy, expensive, and difficult to maintain. This system would also be difficult to deploy quickly in a remote location.

### CONCLUSION

The Applicant respectfully submits that these references, taken alone or in combination, neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to the pending application is respectfully requested. If there is any matter which could be expedited by consultation with the Applicant's attorney, such would be welcome. The Applicant's attorney can normally be reached at the telephone number below.

Signed at Bellingham, County of Whatcom, State of Washington, this 6<sup>th</sup> day of January, 2005.

Respectfully submitted,

Richard Spink

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#### CERTIFICATE OF MAILING 37 C.F.R. §1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Signature: Susie Hubka

Print Name: Susie Hubka

Date: January 6, 2005

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U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

DISCLOSURE  
JAN 10 2005  
APPLICANT

Examiner Name \_\_\_\_\_

P214397

[illegible]Date  
Considered

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.